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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

7 CHRISTIAN FOUMAL,

8 Plaintiff,

9 v.

10 CCO McCARTNEY,

11 Defendant.

No. C11-5310 BHS/KLS

ORDER TO SHOW CAUSE

12 This matter comes before the Court on Plaintiff's motion for leave to proceed *in forma*  
13 *pauperis*. ECF No. 1. To file a complaint and initiate legal proceedings, a plaintiff must pay a  
14 filing fee of \$350.00 or file a proper application to proceed *in forma pauperis*.  
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16 On April 19, 2011, Plaintiff filed an application to proceed *in forma pauperis* and a  
17 proposed civil rights complaint. ECF No. 1. On April 22, 2011, the Clerk sent a letter to  
18 Plaintiff advising him that he must submit a written consent and trust account statement showing  
19 transactions for the past six months. ECF No. 2. On May 2, 2011, Plaintiff submitted a written  
20 consent. ECF No. 3. However, Plaintiff has not submitted a trust account statement to support  
21 his application to proceed *in forma pauperis*.  
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23 The court may permit indigent litigants to proceed *in forma pauperis* upon completion of  
24 a proper affidavit of indigency. See 28 U.S.C. § 1915(a). However, the court has broad  
25 discretion in denying an application to proceed *in forma pauperis*. *Weller v. Dickson*, 314 F.2d  
26 598 (9th Cir. 1963), cert. denied, 375 U.S. 845 (1963).

1 Pursuant to 28 U.S.C. § 1915(a)(2):

2 A prisoner seeking to bring a civil action or appeal a judgment in a civil action or  
3 proceeding without prepayment of fees or security therefor . . . shall submit a  
4 certified copy of the trust fund account statement (or institutional equivalent) for  
5 the prisoner for the 6-month period immediately preceding the filing of the  
complaint or notice of appeal, obtained from the appropriate official of each  
prison at which the prisoner is or was confined.

6 By letter dated April 22, 2011, the Court Clerk advised Plaintiff that he was required to  
7 submit a trust account statement reflecting balances for the six months preceding the filing of his  
8 application, and that he should do so on or before May 23, 2011. ECF No. 2. Plaintiff has not  
9 submitted an updated trust account statement.

10 Accordingly, it is **ORDERED**:

11  
12 (1) Plaintiff shall submit a copy of his prison trust account statement showing the  
13 balance and activity of his account for the six-month period immediately preceding the filing of  
14 his petition **on or before July 8, 2011**. Alternatively, Plaintiff shall pay the full \$350.00 filing  
15 fee required to proceed with this action **on or before July 8, 2011**.

16 (2) Failure to cure these deficiencies by the above date shall be deemed a failure to  
17 properly prosecute this matter and the Court will recommend dismissal of this matter.

18 (3) The Clerk is directed to send a copy of this Order to Plaintiff.

19  
20 **DATED** this 16th day of June, 2011.

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22   
23 Karen L. Strombom  
24 United States Magistrate Judge  
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